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Attention: Examiner \_\_\_\_

Date: Dec 17, 2001 By: Lois E. Miller

PATENT

Attorney Docket No.  
DX01136K

CN 028008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kathleen M. SMITH & Albert ZLOTNIK

Serial No.: 09/920,318

Filed: July 31, 2001

For: USES OF MAMMALIAN GENES  
AND RELATED REAGENTS

Examiner: not yet assigned

Art Unit: not yet assigned

RESPONSE TO NOTICE TO FILE  
MISSING PARTS OF APPLICATION -  
FILING DATE GRANTED

Palo Alto, California 94304

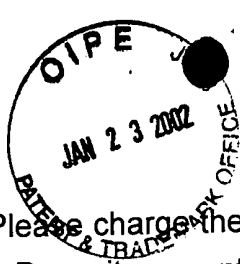
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10  
Sir:

15  
In response to the "Notice to File Missing Parts of Application - Filing Date  
Granted" mailed by the United States Patent and Trademark Office on  
September 17, 2001, enclosed are the following to be made of record in the above-  
identified application:

- 20
1. Declaration and Power of Attorney signed by inventors Kathleen M. Smith  
and Albert Zlotnik in compliance with 37 CFR 1.63;
  2. A request for a one-month extension of time;
  3. A copy of the "Notice to File Missing Parts of Application - Filing Date  
Granted," and,
  4. A response to the "Notice to Comply" with sequence listing rules.



Please charge the total of \$840.00, as calculated below, to DNAX Research Institute Deposit account no. 04-1239:

Fee for filing Missing Parts of Application		
FOR:	NO. FILED	NO. EXTRA
BASIC FEE		
TOTAL CLAIMS	20 - 20 =	0*
INDEP CLAIMS	3 - 3 =	0*
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED		
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.		

	\$130.00
RATE	FEE
	\$ 740.00
x18=	\$ 00.00
x84=	\$ 00.00
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TOTAL	\$840.00

5 The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment to DNAX Research Institute Deposit Account No. 04-1239.

Please telephone the undersigned at (650) 496-6400, if there are any questions. This form is being submitted in duplicate.

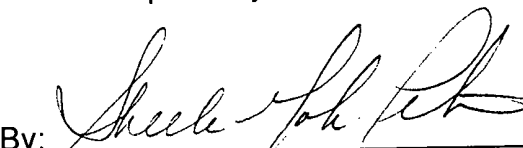
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Respectfully submitted,

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December 17, 2001

By:

  
Sheela Mohan-Peterson  
Attorney for Applicants  
Reg. No. 41,201

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DNAX Research Institute  
901 California Avenue  
Palo Alto, California, 94304-1104  
Tel. No. (650) 496-6400  
Fax No.: (650) 496-1200

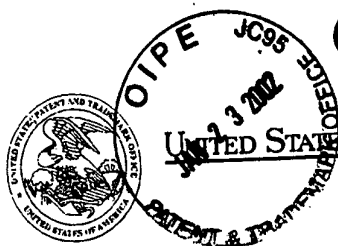
25 Enclosures:

30

- 1) Copy of this Transmittal
- 2) Signed Declaration and Power of Attorney
- 3) Copy of Notice to File Missing Parts
- 4) A request for a one-month extension of time;
- 5) Sequence Submission
- 6) Return Postcard

Kathleen M. SMITH & Albert ZLOTNIK  
USSN 09/920,318, filed July 31, 2001

#5 SECT 01 \$



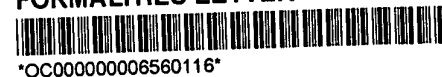
# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/920,318	07/31/2001	Kathleen M. Smith	DX01136K

CONFIRMATION NO. 5031

## FORMALITIES LETTER



\*OC000000006560116\*

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901 California Avenue  
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01 FC:101 740.00 CH  
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Date Mailed: 09/17/2001

10/17/01

11/7/01

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

09/17/2001  
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